



Public Meeting

Central Valley Regional Water Quality Control Board

22 June 2006 – Thursday, 8:30 a.m.
23 June 2006 – Friday, 8:30 a.m.
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and to make decisions based on the information received.

Persons who want to submit written comments or evidence on any agenda item must comply with the **Meeting Procedures** described at the end of the listing of **Agenda** items. Persons wishing to speak at the meeting should complete an attendance card and provide it to staff. Although otherwise filling out the attendance card is voluntary, we do appreciate receiving a card from all persons in attendance.

Persons applying for, or actively supporting or opposing, waste discharge requirements before the Board must comply with legal requirements if they or their agents have or propose contributing more than \$250 to a Board member for an election campaign. Contact the Board office for details if you fall into this category.

Items showing times will begin no sooner than indicated. Items are numbered for identification purposes only and may not be considered in order. They may, however, be delayed by previous items. Items scheduled for the first day of a multi-day meeting may be delayed or continued to the next day of the meeting. The Board may conduct any scheduled hearing as a Panel Hearing as allowed by law in the event of a lack of a Board member quorum. In the event that a Panel Hearing is held, final action on that item will not be taken until a Board member quorum is present. Closed Session business is normally conducted during the lunch break, although the Board may adjourn to Closed Session at any time. Depending on the extent of Closed Session items, the lunch break may be lengthy. The Board Chair will announce prior to any Closed Session the anticipated time that the public session will resume.

Technical questions regarding agenda items should be directed to the responsible staff person whose name and direct phone number are indicated by the agenda item. If no staff person is listed, or for general questions and requests for agenda material, please contact Janice Tanaka at (916) 464-4839.

The facility is accessible to people with disabilities. Individuals requiring special accommodations are requested to contact Ms. Tanaka at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Board agendas and the approved minutes of Board meetings are posted on the Regional Board's website at http://www.waterboards.ca.gov/centralvalley/board_meetings

Copies of the items to be considered by the Board may be downloaded from the following Website, <http://www.waterboards.ca.gov/centralvalley/tentative> organized by agenda item number.

A listing of pending applications for Water Quality Certifications, pursuant to section 401 of the Federal Clean Water Act, may be obtained from the Regional Board's Web Page at or by calling Pat Gillum at http://www.waterboards.ca.gov/centralvalley/public_notices (916) 464-4709.

The **Agenda** for this meeting begins on the next page.

TIME LIMITATIONS

In order to move the Board meeting along in a timely manner, and assure time for adequate consideration of items later in the Agenda, the Chair may enforce maximum time limitations on each item. The goal is to complete all presentations, cross-examination, Board deliberation and voting within the allotted time. Allotted times are listed on the agenda following each item. Please consider the allotted time when preparing your presentations. Items with specific times listed will not be heard before that time but may be heard later.

THURSDAY – 22 JUNE 2006 – 8:30 a.m.

1. Introductions, approval of the May Minutes and pledge of allegiance.
2. Meeting Rules and Procedures
3. Board Member Communications - Regional Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction. There will be no voting or formal action taken.
4. Public Forum - *Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting (3 minute time limit per subject) 8:30 a.m.*

OTHER BUSINESS

5. Nominate/Elect Vice Chair
6. Stewardship Council – *An Information Item (Time Limit – 20 minutes)*
7. Sierra Conservancy – *An Information Item (Time Limit – 20 minutes)*
8. [Reuse of Food Processing By-Products Within Stanislaus County](#) – *Consideration of a Resolution [Wendy Wyels (916) 464-4835] (Time Limit – 60 minutes)*
9. [Conditional Waivers of Waste Discharge Requirements for Discharges From Irrigated Lands Within the Central Valley Region](#) – *Consideration of Adoption of Conditional Waivers [Wendy Cohen (916) 464-5817] (Time Limit – 360 minutes)*

FRIDAY – 23 JUNE 2006 – 8:30 a.m.

10. Introductions and pledge of allegiance.
11. Meeting Rules and Procedures
12. Executive Officer's Report (http://www.waterboards.ca.gov/centralvalley/monthly_board_report)
13. Public Forum - *Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting (3 minute time limit per subject) 8:30 a.m.*
14. The Board will be asked to approve items 21 through 26 with no discussion if no one is here to testify about them; see pages 3 and 4 for a description/listing of items.

ENFORCEMENT

15. [Nicoletti Oil Facility, Nicoletti Oil Inc., ExxonMobil Corp.](#), Merced County - *Consideration of Resolutions approving a Remedial Action Plan, a California Environmental Quality Act Notice of Determination and Consideration of a Cleanup and Abatement Order to implement the Remedial Action Plan [Mark Clardy (916) 464-4719] (Time Limit – 60 minutes)*
16. [State of California, Department of Parks and Recreation, Empire Mine State Historic Park](#), Nevada County – *Consideration of New NPDES Permit and Time Schedule Order [Melissa Hall (916) 464-4757] (Time Limit – 60 minutes)*

OTHER BUSINESS

17. [Amendment to the Basin Plan for the Control of Nutrients in Clear Lake](#) – *Consideration of Adoption of Proposed Amendment and Filing of a Draft Environmental Document* [Lori Webber (916) 464-4745] **(Time Limit – 60 minutes)**
18. [Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Diazinon and Chlorpyrifos Runoff into the Sacramento-San Joaquin Delta](#) - *Consideration of Adoption of Proposed Amendment and Filing of a Draft Environmental Document* [Joe Karkoski (916) 464-4668] **(Time Limit – 90 minutes)**
19. [Waste Discharges From Individual On-Site Sewage Systems](#) – *Discussion of Proposed Statewide Regulations (AB 885 Mandate) – An Information Item* [Jim Pedri (530) 224-4845] **(Time Limit – 30 minutes)**
20. [Salinity Management Plan](#) – *A Status Report* [Rudy Schnagl (916) 464-4701] **(Time Limit – 60 minutes)**

UNCONTESTED ITEMS CALENDAR

Uncontested items are expected to be routine and noncontroversial; recommendations will be acted on without discussion. If any interested party, Board, or staff member requests discussion, the item may be removed from the Uncontested Items Calendar and taken up in the regular agenda order, or in an order determined by the Board Chair - 8:30 a.m.

ENFORCEMENT

21. [Sacramento County Department of Airports, Sacramento International Airport](#), Sacramento County – *Consideration of Rescinding NPDES Permit and Cease and Desist Order* [Pat Leary (916) 464-4623]
22. [ExxonMobil Production Company, Hill Lease, South Belridge Oil Field](#), Kern County – *Consideration of Cease and Desist Order* [Douglas Wachtell (559) 445-5114]
23. [County of Fresno and River Ranch, L.L.C. Mendota Solid Waste Disposal Site](#), Fresno County – *Consideration of Cease and Desist Order* [Dale Essary (559) 445-5093]

WASTE DISCHARGE REQUIREMENTS

24. [Uncontested Rescissions](#)
 - a. Former Silva Acres Dairy (Antonio Amaral), Merced County, Order No. 92-204
 - b. Former Lourence Dairy, Sacramento County, Part of General Order No. 96-274
 - c. City of Oroville, Class II Surface Impoundments, Butte County, Order No. 97-231
 - d. PG&E's Kettleman Compressor Station, Kings County, Order No. 99-145
 - e. Procter and Gamble Manufacturing Company, Sacramento County, Order No. 5-01-064
 - f. Western Hills Water District Wastewater Treatment Plant, Stanislaus County, Order No. R5-2003-0019
 - g. Gaylord Container Corporation, Antioch Paper and Pulp Mill, Contra Costa County, Order No. R5-2003-0073 and Resolution No. R5-2003-0069
25. [Uncontested Change of Name and/or Ownership](#)
 - a. Sandy Point & River Bend MHPs, Southern Estates LLC, Fresno County, Order No. 90-098
 - b. US Filters Westates, US Filter Inc, Tehama County, Order No. 91-209
 - c. William Oswood, Dingerville USA, Butte County, Order No. 93-241
 - d. Kennewick Man, LLC, Clear Creek Mobile Estates, Shasta County, Order No. 94-268
 - e. Donald R. Johnson dba All Valley Septic Service and David and Ramona Williams, Williams Ranch Septage Disposal Site, Tehama County, Order No. 99-122
 - f. Cool Village Investments, LLC. El Dorado County, Order No. R5-2003-0023
26. [Uncontested Waste Discharge Requirements](#)
 - a. [Norcal Waste Systems Ostrom Road Landfill, Inc., Ostrom Road Class II Solid Waste Landfill Facility, Construction, Operation, and Corrective Action](#), Yuba County (revision)
 - b. [Syar Industries, Inc., Syar Madison Plant](#), Yolo County (revision)
 - c. [Kellogg Supply, Inc., Soil Amendment Packaging Facility](#), San Joaquin County (revision)
 - d. [Biosolids Recycling, Inc, Joseph and Connie Jess, and Paul and Sally Marciel, Jess Ranch and Marciel Ranch Biosolids Application Sites](#), Alameda County (revision)

- e. [Aera Energy LLC, South Wastewater Disposal Facility, South Belridge Oil Field](#), Kern County (revision)
- f. [Aera Energy LLC, Row 4 w/Lost Hills Wastewater Disposal Facility, South Belridge Oil Field](#), Kern County (revision)
- g. [U.S. Air Force – Beale Air Force Base, Landfills No. 2 and No. 3 Class III Landfills, Postclosure Maintenance and Monitoring](#), Yuba County, (revision)
- h. ~~City of Fresno and Copper River Ranch, LLC, and Consolidated Land Company and Consolidated Industries, Inc., and Fresno Metropolitan Flood Control District (new)~~ **This item has been removed from the agenda**
- i. [California Department of Corrections and Rehabilitation, Operation of Class II Surface Impoundments, Deuel Vocational Institution](#), San Joaquin County (new)
- j. [Sean W. Smith and Calaveras River Land Company, Inc., Jenny Lind Tailing Pile Removal and Reclamation Project](#), Calaveras County (waiver)

27. The Regional Board may meet in closed session on to consider personnel matters [Authority: Government Code Section 11126(a)]; to deliberate on a decision to be reached based upon evidence introduced in a hearing [Authority: Government Code Section 11126(c)(3)]; or to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation [Authority: Government Code Section 11126(e)]. Litigation items that may be discussed are:
- a. CVRWQCB, et al. v. Aerojet-General Corp., et al, Sacramento Co. Sup. Ct. No. 286073, consolidated with Nos. 288302 and 291981; CVRWQCB, et al. v. Aerojet-General Corp., et al., USDC (EDCal) No. CIV-S-86-0064-EJG (consolidated with U.S. v. Aerojet-General Corp., et al., USDC (EDCal) No. CIV-S-86-0063-EJG. (Aerojet Cleanup)
 - b. Sacramento Regional Co. Sanitation Dist. v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 98CS01702.
 - c. State of Calif., CVRWQCB, et al. v. Iron Mountain Mines, Inc., et al., USDC (EDCal) No. CIV-S-91-1167-DFL-PAN and U.S. v. Iron Mountain Mines, Inc., et al., USDC (EDCal) No. S-91-0768 DFL/JFM. (IMM Cleanup)
 - d. State of Calif. ex rel CIWMB, et al. v. Edward J. Filbin, et al. (Westley Tire Fire).
 - e. San Francisco Baykeeper, Inc., et al. v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 99CS02722. (Toxic Hot Spots)
 - f. Coalition for Alternatives to Kiefer Landfill v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 01CS00728. (Landfill WDRs)
 - g. CVRWQCB v. A Greener Globe Corp., et al., Placer Co. Sup. Ct. No. SCV11383. (Landfill WDRs)
 - h. CVRWQCB v. Sonora Mining Corp., et al., Tuolumne Co. Sup. Ct. No. CV 486 (Jamestown Mine).
 - i. Original Sixteen to One Mine, Inc. v. CVRWQCB, Sierra Co. Sup. Ct. No. 5511. (NPDES permit)
 - j. State of Calif., City of Lodi v. M&P Investments, et al., USDC (EDCal) No. CIV S-00-2441 FCD. (Lodi PCE plumes)
 - k. City of Merced, et al., v. R.A. Fields, CVRWQCB, U.S. Court of Appeals (Ninth Cir.) D.C. No. CV-F 92-5627 (REC/DLB) EDCal; City of Merced, et al., v. R.A. Fields, et al., USDC (EDCal) No. CV-F 92-5627 REC/DLB. (Merced PCE plumes)
 - l. National Park Service, El Portal WWTF, Administrative Civil Liability Order No. 5-01-031. (NPDES discharge)
 - m. Deltakeeper, et al v. CVRWQCB, Sacramento Co. Sup. Ct. No. 03CS00032 (Ag Waiver CEQA lawsuit).
 - n. City of Stockton v. SWRCB et al., San Joaquin Co. Sup. Ct. No. CVO20665 (NPDES permit).
 - o. City of Vacaville v. SWRCB et al., Solano Co. Sup. Ct. No. FCSO20945 (NPDES permit).
 - p. County of Sacramento v. SWRCB and CVRWQCB, Sacramento Co. Sup. Ct. No. 03CS01521
 - q. California Farm Bureau v. SWRCB and CVRWQCB, Sacramento Co. Sup. Ct., 04CS00264 (2005 Ag Waiver lawsuit)
 - r. Deltakeeper et al v. CVRWQCB and SWRCB, Sacramento Co. Sup. Ct., 04CS00235 (2005 Ag Waiver lawsuit)
 - s. City of Vacaville v. SWRCB and CVRWQCB and California Association of Sanitation Agencies v. SWRCB and CVRWQCB, Contra Costa Co. Sup. Ct., Case No. CIV MSN03-0956.(NPDES permit)
 - t. Petition of City of Manteca, Review of NPDES permit and Cease and Desist Order (Order Nos. R5-2005-0028 and R5-2005-0029) (NPDES permit, filed April 19, 2005).
 - u. MANA v. State Water Resources Control Board and Regional Water Quality Control Board, Sac. County Superior Court No. 04CS00871
 - v. City of Woodland v. SWRCB and CVRWQCB, Yolo County. Sup. Ct.. Case No. PT04-759 (NPDES Permit R5-2003-0031 and CDO R5-2003-0032, and SWRCB Order WQO 2005-0010
 - w. City of Yuba City v. SWRCB and RWQCB (NPDES Permit)
 - x. Huhtamaki Foodservice, Inc. for Ameripride Services, Inc. and Valley Industrial Services, Inc. v. SWRCB No. A-1735
 - y. People of the State of California, ex rel, Attorney General Bill Lockyer and Regional Water Quality Control Board, Central Valley Region v. Lake Berryessa Resort Improvement District, Napa County, Napa County Public Works Department, Napa County Board of Supervisors, and Does 1-500. Napa. Cty Sup. Court Case No. 26-32530 (CDO Violations)
 - z. Starrh and Starrh Cotton Growers v. Cal/EPA and Central Valley Regional Water Board, Kern County Superior Court, Case No. S-1500-CV 257444 (Kern County Oil Fields)
 - aa. San Joaquin Rivers Exchange Contractors Water Authority and San Joaquin River Group Authority v. State Water Resources Control Board, Sacramento County Superior Court No. 05CS01724 (CEQA litigation challenging TMDLs for Dissolved Oxygen and Salt & Boron)
 - bb. DCP v. State Water Resources Control Board, Sacramento Superior Court, Case No. 06CS00299, and ConAgra Foods and Monfort, Inc. v. California Regional Water Quality Control Board, Central Valley Region, Solano Superior Court, Case No. FCS027420 [Dixon Commercial Park CAO]